CENTER FOR DRUG EVALUATION AND RESEARCH

Application Number 20-251

APPROVABLE LETTER

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

NDA 20-521

JUL 25 1996

ONY, Inc.
Baird Research Park
1576 Sweet Home Road
Amherst, New York 14228

Attention: Edmund A. Egan, M.D.
President

Dear Dr. Egan:

Please refer to your July 27, 1995, new drug application (NDA) submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act for Infasurf (calf lung surfactant extract) Intratracheal Suspension.

We acknowledge receipt of your submissions dated March 13, June 30, August 4, 10, 21 and 22, September 21 and 26, October 16, November 3, 6, and 8, and December 1, 4, and 15, 1995, and January 23, February 8 and 20, March 6, April 12, May 10 and 24, and July 11, 1996.

Reference is made to our February 28 and May 24, 1996, letters, your July 3, 1996, telephone conversation with Ms. Carol Vincent, microbiology reviewer, and our July 9, 1996, meeting.

We have completed the review of this application as submitted with draft labeling and it is approvable. Before the application may be approved, however, it will be necessary for you to submit the following information.

THIS SECTION WAS DETERMINED **NOT** TO BE RELEASABLE

6 pages

Since calf lung surfactant extract (CLSE) is not an established name as described under 502(e)(3) of the Federal Food, Drug, and Cosmetic Act, you should apply to the United States Adopted Names (USAN) Council for adoption of a name that will comply with that section of the Act. They can be contacted at the following address:

U.S. Adopted Names Council
American Medical Association
P.O. Box 10970
Chicago, IL 60610

We remind you that satisfactory inspections of all facilities involved in the manufacturing and testing of Infasurf for conformance with current good manufacturing practices (cGMP) are required before this application may be approved.

We are reserving comment on the proposed label and labeling until the application is found adequate in other respects.

As you know, due to the orphan exclusivity granted to Ross Laboratories' product Survanta, this application may not be approved until July 1, 1998, unless, as discussed in our letter of May 24, 1996, you can show to our satisfaction that Infasurf and Survanta should not be considered to be "the same drug."

Within 10 days after the date of this letter, you are required to amend the application, notify us of your intent to file an amendment, or follow one of your other options under 21 CFR 314.110. In the absence of any such action, FDA may proceed to withdraw the application. Any amendment should respond to all the deficiencies listed. We will not process a partial reply as a major amendment nor will the review clock be reactivated until all deficiencies have been addressed.

The drug may not be legally marketed until you have been notified in writing that the application is approved.

Should you have any questions, please contact Ms. Betty Kuzmik, Project Manager, at (301)827-1051.

Sincerely,

James Bilstad, M.D.
Director
Office of Drug Evaluation II
Center for Drug Evaluation and Research

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APPROVAL LETTER

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Rockville MD 20857

NDA 20-521

JUL 1 1998

ONY, Inc.
1576 Sweet Home Road
Amherst, New York 14228

Attention: Edmund A. Egan, M.D.
President

Dear Dr. Egan:

Please refer to your new drug application (NDA) dated July 25, 1995, received July 31, 1995, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act for Infasurf (calfactant) Intratracheal Suspension.

We acknowledge receipt of your submissions dated March 13, June 30, July 13, August 4, 10, 21, and 22, September 21 and 26, October 16, November 3, 6, and 8, and December 1, 4, and 15, 1995; January 23, February 9 and 20, March 6, April 12, May 10 and 24, July 11 and 19, August 6 and 13, September 26, November 6, 14, and 22, and December 9 and 24, 1996; February 12, March 14, April 7, 9, 21, 22, 24, and 29, May 2, 5, and 6, October 22, and December 19 and 23, 1997; and February 16, March 10, April 8, 10, 15, and 27, May 15, and June 11, 1998. Your submission of February 16, 1998, constituted a full response to our May 7, 1997, action letter. The user fee goal date for this application is August 16, 1998.

This new drug application provides for the use of Infasurf (calfactant) Intratracheal Suspension for the prevention and treatment of Respiratory Distress Syndrome (RDS) in neonates.

We have completed the review of this application, as amended, and have concluded that adequate information has been presented to demonstrate that the drug product is safe and effective for use as recommended in the enclosed labeling text. Accordingly, the application is approved effective on the date of this letter.

The final printed labeling (FPL) must be identical to the enclosed marked-up draft labeling (text for the package insert) and submitted draft labeling (immediate container and carton labels dated June 11, 1998). Our changes in the text are noted by an asterisk in the left column. Marketing the product with FPL that is not identical to the approved labeling text may render the product misbranded and an unapproved new drug.

Please submit 20 copies of the FPL as soon as it is available, in no case more than 30 days after it is printed. Please individually mount ten of the copies on heavy-weight paper or similar material. For administrative purposes, this submission should be designated "FPL for approved NDA 20-521." Approval of this submission by FDA is not required before the labeling is used.

We remind you of your Phase 4 commitments specified in your submission dated June 11, 1998. These commitments, along with completion dates agreed upon, are listed below.

We remind you of the agreement that the currently approved expiry periods of 12 months for the drug substance and 12 months for the drug product manufactured from it are based on the completion of your commitments listed above. These expiry periods can be extended only through prior-approval supplements with additional supportive studies.

Submit protocols to this NDA as correspondence. In addition, under 21 CFR 314.82(b)(2)(vii), we request that you include a status summary of each commitment in your annual report to this NDA. For administrative purposes, all submissions relating to these Phase 4 commitments must be clearly designated "Phase 4 Commitments."

Validation of the regulatory methods has not been completed. At the present time, it is the policy of the Center not to withhold approval because the methods are being validated. Nevertheless, we expect your continued cooperation to resolve any problems that may be identified.

Please submit one market package of the drug product when it is available.

We remind you that you must comply with the requirements for an approved NDA set forth under 21 CFR 314.80 and 314.81.

If you have any questions, contact Dr. Denise Toyer, Project Manager, at (301) 827-5584.

Sincerely,

James Bilstad, M.D.
Director
Office of Drug Evaluation II
Center for Drug Evaluation and Research

Enclosure

**APPEARS THIS WAY
ON ORIGINAL**